App. F. IX-4

1938.
(May)

File No. 32-38

Serial Nos. 1-2

Previous References
Misc 206-24(135)
77-37)(1-2)
Dep 329-37

Letter References
Jany 115-39-(1-2)

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Two

Part B for October 1938

SUBJECT.

Revenue petition of the Jahagirdar of Yelandur re the fore-shore of Revenue alienation Bilijiri Rangan Hill &c.

No book by 26-10-38

The Jahagirdar of Yelandur.

WD 0295—GPB—22,500—13-8 37

Inform the Government that there is no reason to modify the order already passed in the matter.

M Iyengar
24/11/38

G. R. S. APP. F. III—1]

GENERAL AND REVENUE SECRETARIAT.

(Mug)

NOTES.

File No. 32-38

FILE HEADING

Claim of the Jahagirdar of Yelandur for the revenue of Biligiri Rangan Hills.

FROM

The Jahagirdar of Yelandur

No. — Dated July 1938 Received 15.7.38

Diary No. 71 | Enclos. 1 | Spare copies — | Serial No. 1

BRIEF ABSTRACT OF LETTER

States that Govt. order no 506-10/Mug 288-24-32 dt 28/9/37 passing orders in regard to the claim of Sri Biligiri Rangas swami temple to the forest revenue of the Hills is not in conformity with the law of the land and prays that a proper tribunal may be constituted to investigate the claims.

NOTES AND ORDERS.

(1) The petitioner's Guru Sri [illegible]. His request for a reconsideration of the Govt. order of 28/9/37 has been already rejected vide Govt. no 1263 dt 15/3/38 addressed to him. Govt. have passed orders regarding the claim to the forest Revenue of the Biligiri Rangan Hills in G.O. No. 506-10 Mug 288-24-32 26th Sept. 1937. Govt. have held in that and

NOTES—First Sheet

WD 0283—GPB—3,750—25 1-38

3

Claim of the Jahgirdar of Yelandur to Sodi Biligiri Rangan Betta and the Forest Revenue of the Hills

Mysg. File No. 32 of 1938.

General and Revenu Secretariat

that the Biligiri Rangan Hills have been endowed to Sri Biligiri Ranga-Swamii temple on the Hills. The Inam Rules permit an appeal to Govt. in the case of claims to inam lands. They do not permit any civil court to settle such claims. (Vide paras XXI and XXII of the Inam Rules, page 229 of the Revenue manual, Vol I). Sec. 221, clause (d) (1) also prohibits civil courts from dealing with claims to inam lands. The Jahgirdar questions the validity of the G.O. of 28th Sept. 1937 settling his claim to the Biligiri Rangan Hills and to the Forest Revenue of the Hills, on the ground that his claim to the Hills have not been settled by the Inam Comr. as contemplated by para XXI of the Inam Rules. Para VI of the Inam Rules requires the person who prefers a claim to any inam land or village to produce the sannad conferring the inam. In this case the Jahgirdar has not produced any sannad conferring Biligiri Rangan Hills as an inam to the Jahgirdar. The sannad of 1799 and other records go to show that the Hills were granted to the Sri Biligiri

claim of the Jaghirdar of Yelandur to Jodi Biligiri Rangan Betta and the Forest Revenue of the Hills.

General and Revenue Secretariat — Mny. File No. 32 of 1938. [App. F. III—2

Serial No.

Flags O and L

Rangan Swami temple on the Hills as inam. (Vide the Sanad and para 2 of the G.O. of 28th Sept. 1937). It is therefore a point for orders whether there is any necessity to investigate the Jahgirdar's claim to the inam village of Jodi Biligiri Rangan Betta, by the Inam Commissioner as contended by him.

21.7.38.

2. The main contention of the Jaghirdar is that the G.O. of 28.9.37 can have no legal effect in so far as it purports to settle the question of the right of the temple to the Forest Revenue of the Biligiri-rangan Hills - and that under the Inam Rules in force in Mysore, the Inam Settlement has to be made by a special Inam Commissioner invested with Judicial Powers... He requests that such an enquiry may be ordered and pending the enquiry he is willing to deposit the whole

NOTE—Contn. Sheet.

WD 0281—GPB—30,000—13 8 37

of the Forest Reserves in the Ry Treasury at Mysore.

3. Rule XX of the Inam Rules provides for the issue of a Title deed specifying the nature and terms of tenure of the Inam by the Inam Commissioner after an enquiry conducted in accordance with the rules. Rule XXII provided for appeal to Govt against the Inam Commissioner's decision. Rule XXI vested with the Govt power to set aside any decision of the Inam Commissioner according to the rules.

4. In the present case, the Govt who are the appellate authority under the rules have themselves passed orders on the material collected by local officers and after giving the Jahagirdar several opportunities to present his case. Whether this does not form sufficient compliance with the rules is a matter on which the Land Department

Claim for Forest Reserve &c.

Bo-Gere Rano

956/1938

71

General and Revenue Secretariat — File No. 32 of 193 8. — [App. F. III—2

Serial No.	
A	may perhaps be examined. There is another aspect of this question. The benefit is admittedly a Mungu institution and the evidence discloses that the property of the institution was misapplied. Government could intervene under Sec. 18 of the R.C. & D. Act and take the institution under their management & order that the property be delivered back to the institution. The order of Sept- 1937 could also be treated as one passed under this Section. But against an order under this Section, a suit would lie
A	Govt Secy 6) A. To please ask Law Secy to note Asst Secy Law 7) Noted 8) A note is put up for Consideration

GENERAL SECRETARY. 27 JULY 1938

Received 5 15 P.M. 40 Law

NOTE—Contn. Sheet

WD 0417—GPB- 80,000—6 9-36

Asst Secy Mungu for WC

BMR 17-8-38

Serial No.

NOTE

9) Sri Bilagiri Rangaswamy Temple is endowed with Sarvamanya villages viz (i) Gowdahalli and (ii) Soligarahalli and Doddapalya. The Inam Settlement has not been made in respect of these villages though as early as 1896, Govt directed that a careful Inam enquiry was necessary. The matter was seriously taken up again in 1928 when it was agreed that prompt action should be taken regarding the Inam settlement of the lands and forests endowed to Temple. The Survey and Settlement Superintendent was requested to arrange for this enquiry without delay. But later as it was proposed not to have elaborate enquiries in the matter for the time being, and consequently the question of appointment of a special Officer to enquire into the matter was ordered to lie over. It was decided to decide the question of the claim of the Temple to Forest revenue by reference to the existing records after affording opportunities to the Jahgirdar to urge his case. This course seems to have

W D 0117—GPB—80 000—3 9 36

Serial No.

been adopted apparently in the hope that the Jahgirdar would be agreeable to such a course, that it may be regarded as the formal settlement of the question and that further Inam enquiry proceedings would become unnecessary. At any rate it is clear from the discussions in the Mang. File 288-24, that though at first the Govt considered that the question could be properly settled only by holding a regular Inam enquiry, such a course was not adopted at a later stage, and the question was disposed of on the Mazra side in regard to the Temples claim for the forest income.

(2) It seems therefore that the enquiry now held cannot be deemed to have been conducted under the Inam Rules, and consequently the Spl. enquiry cannot be deemed to decide the validity of the Inams in favour of the Temple.

(3) But the Spl. is valid has therefore force so far as it decides on the Mazra side, the

Serial No.

Claim of the Temple for the forest revenue. The Temple is a Muzrai Institution and on the available material and after hearing the Jahgirdar, the Govt. have held that the Temple is entitled the forest income and have, on equitable Considerations ordered also that Thereof may be paid to the Jahgirdar If the Jahgirdar feels aggrieved by this order, it is open to him to take such Steps as are available to him, to question the correctness or the validity of the said order.

BMR
17.8.38

Asst Secy
Mlg Br
WP

ORDER.

12) I have perused the Jahgirdar's applications and I have also heard his Advocate.

13) The contention of the Jahgirdar is that the Government Order of the 2nd October 1937 can have no legal effect as an Inam Settlement, as the law contemplates a special kind of enquiry and he requests that an Inam Commissioner with judicial powers may be appointed to decide the question whether the forest on the Biligiririangan Hills belongs to the Jahgirdar or to the temple.

NOTE—Contn. Sheet.

Serial No.

11. The Government Order in question was passed on the Muzrai side as the Sri Biligiri Rangaswamy Temple is a Muzrai institutiion. The Biligiriran-gan Hills are an inam endowed to this temple as is fully established by the Nirup of 1799-1800 and other records. Representations were received by the Government that the affairs and properties of the temple were being mismanaged and that the entire income from the forest on the Hills was not being utilized for the temple. In these circumstances, the Government exercised their powers as the Chief Controlling authority over *muzrai institutions* and issued orders after due enquiry and careful con-sideration and after giving every opportunity to the Jahgirdar to represent his case. As a matter of fact, at an earlier stage of the consideration of the question, the Jahgirdar expressed himself agree-able to any action which Government might take with *a view to improving the temple services, etc.*

12. Although strictly the temple is entitled to the entire revenue from the forest, the Govern-ment took a sympathetic view and on equitable con-siderations, directed that a portion of this income after defraying the expenses of the temple may be handed over to the Jahgirdar. Government see no reason to modify the order.

20/10/38

20/10/38

24/10/38

2118 - 20/10/38.

new 1 of 38-39. re: The forest (10
Revenue of Bilegiri Rangan Hills Claimed
by the Jahagirdar of Gundlupet.

General and Revenue Secretariat — Muz File No. 32 of 1938 — [App. F. III—2

Serial No.	
	16 D/p ordd —— for approval. 25/10 28/10 25.10.38.
	25 OCT. 1938 Muz 327
	2 Memo no 608 & 28/10/38 of the Muz Commissioner forwarding Copy of the decision in the reviewcase for information.
	No 608 & 28/10/38 to the Review petitioner through his Counsel.
	A copy of the order passed on the subject is placed for ref^ce in the file.
	LR 343-37-10 which is regularised is sent to the Rev Board & to Kurg retain the linked file & return
	This Muz file 28/10 26.10.38. to the Rev. Bd.
	A Copy of the above memo is forwarded to the Secretary to Government for information.
	Muz Bd 1/11/38 Muz Bd
	B 1/11/38

TE—Contn. Sheet.

MD 0417—GPB—30,000—8 9 36

It is undeniable that the Temple is a Muzrai institution.

The Govt can take action under Secs 9 & 10 of the Religious & charitable Institutions Act where inam lands granted to a Muzrai institution are concerned & where such lands are alienated or an interest adverse to such institution is set up by some person. In the present case, the Govt have found that the forest is inam granted to the Temple. The Jahgirdar who has been managing the Temple (by delegated authority from the Govt) is attempting to set up an adverse right. Consequently Govt can resume the land under Sec 10. Proviso 2 does not apply as the Jahgirdar has been manager of the Temple & its properties & his possession cannot therefore be adverse.

GENL & REV. SECRETARY
71
16. JUL. 1938
MYSORE

Mag Review 107-38-39

"Purnaprajnda",
Race Course Road, Bangalore,
Dated, July 13th.

OFFICE OF THE DEWAN
OF MYSORE
INTERIM PETITION
15.7.38.

Mag 32-38-1

Relief prayed for in this letter —

(1) That an inam commissioner invested with judicial powers may be kindly appointed to investigate into the claim of the Biligirirangaswami temple to the forest revenue of the Biligirirangan Hills which is a matter in contest between the Temple and the Sahukar, as the inam rules in force in Mysore contemplate such an enquiry in a case of this kind. The present order of Government dealing with this question is not valid as it is not in accord with the law in force in Mysore

[illegible] Hills [illegible]

contest between me and the Biligiriranga[illegible]swami

I request that Government may be pleased to constitute a proper tribunal - that is to say an Inam Commissioner invested with Judicial powers - to investigate into this claim as contemplated by the law now in force in Mysore. I shall try to elaborate this point in the submissions which I am going to make hereafter.

The Government have ~~proposed~~ purported to deal with this matter in their Order No. 506 to [illegible].506-24-38 dated the 20th of September 1937 and, so far as I am able to make out from the correspondence which has taken place between me and the Government in this connection, the Government appear to think that this order validly settles the question of the right of the Biligiriranga[illegible]swami temple to the forest revenue of the Biligiriranga[illegible]n Hills. I would venture to say it

GENL & REV. SECRETARIAT
16. JUL. 1938
MYSORE

Mug Review 1 of 38-39

"Purnaprajna",
Race Course Road, Bangalore,
Dated, July 1938.

Mug 32-38-1

OFFICE OF THE DEWAN
OF MYSORE
INTERVIEW PETITION
Received 15 7 38.
Disposed.

To,

Amin - ul - Mulk
Sir Mirza M. Ismail, K.C.I.E., O.B.E.,
Dewan of Mysore,
BANGALORE.

Respected Sir,

I have taken the liberty of writing to you personally in regard to my claim to the Biligirirangan Hills and the forest thereon which is a matter in contest between me and the Biligiriranganaswami temple. I request that Government may be pleased to constitute a proper tribunal - that is to say an Inam Commissioner invested with Judicial powers - to investigate into this claim as contemplated by the law now in force in Mysore. I shall try to elaborate this point in the submissions which I am going to make hereafter.

The Government have ~~proposed~~ purpose to deal with this matter in their Order No. 506/10 Muz.208-24-38 dated the 20th of September 1937 and, so far as I am able to make out from the correspondence which has taken place between me and the Government in this connection, the Government appear to think that this order validly settles the question ~~and~~ of the right of the Biligiriranganaswami temple to the forest revenue of the Biligirirangan Hills. I would venture to say to

submit that this order of Government is not an order which can have any legal effect as the law in force in Mysore contemplates quite a different kind of an enquiry. The matter in issue really turns upon the interpretation to be put upon the words of the Niroop granted to the Biligirirangaswami temple by Dewan Purnaiya in 1799-1800. On the merits of the claim of the temple to the whole of the Biligirirangan Hills and Forest - that is what the claim in substance amounts to - I shall not say anything at this stage. It is clear from the Inam Rules, which are in force in Mysore, that an Inam Settlement by a Special Inam Commissioner, invested with Judicial powers, is contemplated in respect of all inams. So far as I am aware no such investigation has been undertaken in respect of the inam granted to the Biligirirangaswami - temple, nor has any title deed as provided for in those rules been granted to that institution. As Rule XX of the Inam Rules makes it clear, after the termination of the enquiry conducted in accordance with the rules, a title deed will have to be furnished to the institution "specifying in it the nature and terms of the tenure". The question of the nature and effect of the grant made to the temple by the Niroop is a justiciable matter which can only be decided after a full-dress enquiry by a duly constituted authority. In view of this, I would venture respectfully to submit that the order of Government adverted to above is not in conformity with the law of the land so as to carry with it legal validity.

One important matter remains to be mentioned

mentioned in this context. With regard to the forest revenue I may say that I have no objection to the amount being kept in suspense pending disposal of the matter finally. Any reasonable - arrangement to safeguard the interests of the temple with regard to the forest revenue, pending investigation into the rival claims put forward, will be acceptable to me. I would even be willing to deposit the whole of the forest revenue in the Government Treasury at Mysore pending disposal of this matter.

I need hardly emphasize that this matter involving as it does my right to nearly a third of the area of my Jaghir is of the greatest moment to me. I only ask that the proper tribunal for which provision has been made under the law should enquire into this matter and pass a considered verdict. If such a tribunal were to be constituted I shall have an opportunity of presenting my case properly fully supported by documents and other evidence. The temple would also be in a similar position. And all that I now ask for is that such a tribunal should be constituted and directed to investigate into this matter.

Mr. M. Ramaswamy, B.A., B.L., Advocate, (92. Chickpet, Bangalore City) who is my counsel will be presenting this letter to you in person and will explain any points on which further information may be called for.

I pray that Government may be pleased to pass early orders in this matter.

I have the honour to be,
Respected Sir,
Your most obedient servant,
Nagaraja Rao Purnaiya

TWO RUPEES

Before the Government & This Hyhness The Maharaja's
ಕೋರ್ಟ್‌ನಲ್ಲಿ
Jagmohan Palace, Bangalore

ಬೆಂಗಳೂರು

In Re — the claim of the Bilijiri rangaswamy Temple to free Fort Revenues & the

19 —19 ನೇ ನಂಬರು

Bilijiri rangaswamy Mills

ವಾದಿ ಯಾ ~~ಅರ್ಜಿದಾರ್~~

ಪ್ರತಿವಾದಿ ಯಾ ಅಪೊನೆಂಟ್

Nagaraja Rao Purnaiya
Purna Prasada
Race Course Road
Bangalore. } Vs { _____

M. Ramaswamy, B.A., B.L.
Advocate
92 Cubbon Pet
Bangalore City

Retainer ಬರೆಸಿಕೊಟ್ಟ ವಕಾಲತ್ ನಾಮಾ.

ಈ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ವರವಾಗಿ ಆಖೈರುವರಿಗೂ ಕೋರ್ಟ್‌ನಲ್ಲಿ ವಿವಾದ ನಡೆಸುವುದಕ್ಕೂ ನನ್ನ ವರವಾಗಿ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರನ್ನೂ, ಡಿಕ್ರಿಯನ್ನೂ ಜಾರೀ ಕ್ರಮ ನಡೆಸಿ ಹಣ ವಸೂಲುಮಾಡಿ ಕೊಳ್ಳುವುದಕ್ಕೂ, ನನಗೆ ಕೋರ್ಟ್‌ನಿಂದ ಸಲ್ಲಬೇಕಾಗಿರುವ ಡಿಕ್ರಿ ಮೊಬಲಗು, ಶಿಲ್ಕು ಮೊಬಲಗು, ಪ್ರೊವಿಸೆನ್‌ಸ್ಟ್ಯಾಂಪು, ದಾವಾಸ್ಟ್ಯಾಂಪು ಸಹ ವಡೆಯಲಿಕ್ಕೂ, ದಸ್ತೈವಜು ವಗೈರೆಗಳನ್ನು ವಾಪಸು ವಡೆಯಲಿಕ್ಕೂ, ಮೇಲ್ಕಂಡ ಕೇಸಿನಲ್ಲಿ ರಾಜಿ ವಗೈರೆ ಮಾಡಿಕೊಳ್ಳಲಿಕ್ಕೂ ಮೊಖದ್ದಮೆಯನ್ನು ವಾಪಸ್ ವಡೆಯಲಿಕ್ಕೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿಧೇನೆ. ಅಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮಗೋಸ್ಕರ ಮತ್ತಾವ ಲಾಯರಾಗಲಿ ಡಿಟೋ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ನಡೆಯಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನೂ ನಾನು ಖುದ್ದು ಇದ್ದು ನಡೆಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ಧನಾಗಿ ಇರುತ್ತೇನೆ.

ತಾರೀಖು } ರುಜು Nagaraja Rao Purnaiya

ಈ ಮೊಕ್ತ್ಯಾರುನಾಮಾ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ತರಾಗಿ ಸನುಕ್ಷವು ರುಜು ಮಾಡಿರುತ್ತಾರೆ.

ಅಡ್ವೊಕೇಟ್ಸ್

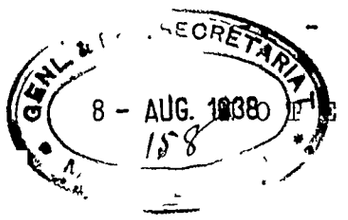
ಈ ಮೊಕ್ತ್ಯಾರುನಾಮಾ ಅಂಗೀಕರಿಸಿ ಇಧೇನೆ

accepted
M. Ramaswamy
ಅಡ್ವೊಕೇಟ್ಸ್ advocate for Rao pet

ಬಿ. ಯಸ್. ಕೋಳಿವಾಡ್ ಆಂಡ್ ಬ್ರದರ್ಸ್, ಬೆಂಗಳೂರು ಸಿಟಿ.

OFFICE OF THE FIRST MEMBER

OF COUNCIL.



I understand that the Jahgirdar of Yelandur has not yet taken charge of the Jahgir on the ostensible ground tha he has appealed against that portion of the Govt Order relating to the forests of th Temple. A petition in this connection was I think ~~sent~~ presented to the Dewan two days ago. Please have the matter expedited and submit the case for orders early.

Chief Secretary
with compliments.

7/8

8/8

The Jahgirdar has appealed to the Govt

Govt

6 - 734
25.8.38

" Purnaprasada ",
Race Course Road, Bangalore,
Dated, 24th August 1938.

To,

B.T. Kesavaiengar, Esq., B.A.,
Chief Secretary to Government,
Public Offices,
BANGALORE.

CHIEF SECRETARY'S
Rec
4. AUG. 1938
GOVT. OF MYSORE.

Dear Sir,

I am sending herewith a letter addressed to Rajamantrapravina S.P. Rajagopalachari, First Member of Council, in regard to my claim to the forest revenue of the Biligiri Rangan Hills which is now pending before the Government. I shall feel obliged if the letter addressed to the First Member is kindly submitted to him.

OFFICE OF THE
FIRST MEMBER OF COUNCIL
No. 2402

With kindest regards.

Yours sincerely,
Nagaraja Rao Purna
24-8-1938

Submd.

/ for Member

MS
24.8.38 Ur.

Please put up with the main file

VNR
25/8

" Purnaprasada ",
Race Course Road, Bangalore,
Dated, 24th August 1938.

To,

Rajamantrapravina
S.P. Rajagopalachari, B.A., B.L.,
First Member of the Executive Council,
Public Offices,
BANGALORE.

Respected Sir,

I understand that during the course of the arguments addressed by my counsel on 17 . 8 . 1938 on the question of the jurisdiction of Government to deal with the question of the right of the Biligiri Rangaswami temple to the forest revenue of the - Biligiri Rangan Hills as a court of first instance, you asked my counsel whether he was aware of the letter written by me to the Dewan Saheb on 14 . 9 . 1932, and what he had to say in regard to the representation made therein. I understand that my counsel who had not seen a copy of that letter before was not in a position to make any submission regarding it at that time. He appears to have confined his - arguments primarily to the legal issues arising in the case. My counsel has since seen that letter; and both he and I have had a discussion regarding it. I am particularly anxious that there should be no misunderstanding of my position vis a vis the temple

temple in regard to this matter. And I am, therefore, taking the liberty to write to you to make clear the position which I take up in this connection.

I may be permitted to point out that in writing the letter dated 14 . 9 . 1932 to the Dewan Saheb the idea that was uppermost in my mind was that in view of the fact that my interests as - Jagirdar were conflict with my interests as manager of the temple, so far as the forest revenue was concerned. I should endeavour to get out of the embarrasing situation I was in. I would assure the Government that my attitude then as now was one of seeing that the essential services of the temple in which I am profoundly interested should be maintained at a reasonably high level consistent with my own interests and those of my successors in the Jaghir. If the letter is read as a whole I believe that it would be clear that I was agreeable to make a contribution from the Jagir Funds to maintain the temple services in a proper way. In fact I may pick out one sentence from that letter which runs thus: " I am agreeable to any action in this direction which Government may be pleased to advise me to take, meeting any extra cost if necessary from the Jagir Funds." to show the view which I took in this connection. I venture to submit that I have all along maintained that the Biligiri Rangan Forests belonged to me and not to the temple and from this position there was and there could be no departure.

The question whether the forests of the - Biligiri Rangan Hills belong to the temple or to the Jaghir is itself a matter in issue. That depends

depends upon the interpretation of the terms of the Sannad granted to the temple in the light of surrounding circumstances. The delimitation of the grant made under the Sannad can, as I have already submitted, be validly effected only by an Inam Commissioner invested with Judicial powers. That enquiry would determine the nature, effect and extent of the grant.

I may be permitted to submit that in the event of the tribunal for which I have asked returning a finding in my favour regarding the Biligiri Rangan forest I cannot but be sensible of the obligation which I am under to the temple to contribute a reasonable amount (which may be fixed by negotiation later towards the performance of the essential services of the temple properly. It is my earnest desire to carry out that obligation to the fullest extent possible consistent with the resources available and my other commitments.

In any event an authoritative verdict at the hands of a proper tribunal - that is to say an Inam Commissioner invested with Judicial powers - is necessary to set at rest the conflicting claims made to the Biligiri Rangan Hills and forest once and for all. And I pray that the submissions which I have made above may also be taken into consideration in passing orders in this matter.

I have the honour to be,

Respected Sir,

Your most obedient servant,

Nagaraja Rao Lakshmayya

Jagirdar of Yelandur. 24-8-1938

Rev. 21]

Revn

Before the Government of His Highness the Maharaja of Mysore.

Mus Review ~~Appeal~~ No. 1 of 38-39

~~Appellant.~~ ~~Vs.~~ ~~Respondent~~

Review pet.ner
M. Nagaraja Rao Pantulu
Jahagirdar of Yelandur -
Purnaprasad - Race Course Road.
Bangalore City.

Subject.

Request of the Jahagirdar of Yelandur for a reconsideration of Govt order No. 506-10/Mus 288-24-32 of 2-10-37 directing among other matters that income from the Biligiri Rangan Forest Shall be utilised for the primary necessary for the proper performance of Puja and for the maintenance of the temple and any surplus left over after the needs of the temple are met may be ~~left to~~ taken by the Jahagirdar.

The Jahagirdar's applications was dismissed and ~~the~~ his Counsel ~~for the Revision pet.~~ ~~was heard~~ heard.

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order.

The contention of the Jahagirdar is that G.O. No. 506-10/Mus of 2-10-37 can have no legal effect as an Inam Settlement, as the Law contemplates

WD 0533—GPB—750—21-7-37

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*

a special kind of enquiry and he requests that an Inam Com with judicial powers may be appointed to decide the question whether the forest on the Bilegere Rangan Hills belongs to the Jahagirdar or to the temple.

The Govt. order in question was passed on the 2nd Decr. The Sri Biligiri Rangaswamy temple is a Muz. Instn. The Biligiri rangan Hills are an Inam endowed to this temple as is fully established by the Record of 1799–1803 & other records — Representations were received by Govt that the affairs and properties of the temple were being mismanaged & that the entire income from the forests on the Hills was not being utilised for the temple In these circumstances the Govt exercised their powers

I suppose this is paragraph 13-11 of the members minute

Please copy exactly issue

WD 26/10/38

WD 0186—GPB—15 000 -6 9 34

Controlling authority over Mag. Instrs
& causes adds after due enquiry &
careful Consideration & after
giving every opportunity to the
Jahagirdar to represent his case.
As a matter of fact at an early
stage of the Considerating the question
the Jahagirdar expressed
himself agreeable to any action
which Govt might take with
a view to improving the
temple Services Etc.

Although strictly
although the temple is
entitled to the entire revenue
from the Forest, the Govt
took a sympathetic view
& on equitable Considerations,
directed that a portion of this income
after defraying the Expenses
of the temple may be handed
over to the Jahagirdar. Govt
see no reason to modify the

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*

Copy to m.c. for information

~~B. O.~~

608 + 609. dt 28-10-38

2/25/11- ~~For~~ Exn Sec

Copy to M.C. for information

Copy to Sri Nagaraja Rao

Pursuit through his counsel

M. Rmaswamie Esq B.A B.L

Advocate. 92. Chickpet.

Bangalore City.

~~B. O.~~

2/25/11-

For - Exn Sec

~~Issued~~

25/10

WD 0186—GPB—15 000 -6 9 34

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Muz. Review No. 1. of 38-39.

Review Petitioner.

Mr. Nagaraja Rao Purniah
Jahagirdar of Yelandur,
Purnaprasad - Race Course Road,
Bangalore City.

SUBJECT.

Request of the Jahagirdar of Yelandur for a reconsideration of Government Order No. 506-10/Muz. 288-24-32 dated 2nd October 1937 directing among other matters that the income from the Biligirirangan Forest should first be utilised for expenditure necessary for the proper performance of Puja and for the -- maintenance of the temple, and any surplus left over after the needs of the temple are met may be taken by the Jahagirdar.

The Jahagirdar's applications were perused and his counsel heard.

Order

The contention of the Jahgirdar is that the Government Order of the 2nd October 1937 can have no legal effect as an Inam Settlement, as the law contemplates a special kind of enquiry and he requests that an Inam Commissioner with judicial powers may be appointed to decide the question whether the forest on the Biligirirangan Hills belongs to the Jahgirdar or to the temple.

The Government Order in question was passed on the Muzrai side as the Sri Biligiri Rangaswamy Temple is a

Muzrai institution. The Biligirirangan Hills are an inam endowed to this temple as is fully established by the Nirup of 1799-1800 and other records. Representations were received by the Government that the affairs and properties of the temple were being mismanaged and that the entire income from the forest on the Hills was not being utilized for the temple. In these circumstances, the Government exercised their powers as the Chief Controlling authority over muzrai institutions and issued orders after due enquiry and careful consideration and after giving every opportunity to the Jahgirdar to represent his case. As a matter of fact, at an earlier stage of the consideration of the question, the Jahgirdar expressed himself agreeable to any action which Government might take with a view to improving the temple services, etc.

Although strictly the temple is entitled to the entire revenue from the forest, the Government took a sympathetic view and on equitable considerations, directed that a portion of this income after defraying the expenses of the temple may be handed over to the Jahgirdar. Government see no reason to modify the order.

Copy to R.C. 608-9/Myg 32-38-2 dt 28-10-38
Copy to the Review petr thro his Counsel
R.O.

for General Secretary to Government.

bks)5.